

EMPLOYMENT LAW SUMMARY

Oklahoma: Employee Leave Laws - Overview



Because You're Different

Employers have some flexibility when it comes to establishing or negotiating employee leave policies. As part of their overall compensation packages, employers may provide their employees with various types of paid or unpaid leave, including vacation time, personal leave and sick leave. However, Oklahoma employers must provide their employees with leave mandated by state law.

Oklahoma has state laws regarding:

- Jury duty leave;
- Voting leave; and
- Military leave.

In addition, federal laws not addressed in this document, such as the federal Family and Medical Leave Act, require covered employers to provide employees with leave in certain circumstances.

The chart below provides a high-level overview of Oklahoma's state laws requiring employee leave.

OVERVIEW OF EMPLOYEE LEAVE LAWS

TYPE OF LEAVE	REQUIREMENTS
Jury Duty Leave	Employers must provide unpaid leave to employees who are summoned for jury duty. Employers may not terminate, remove or otherwise subject employees to any adverse employment actions as a result of jury service. Employees may not be required to use vacation or sick leave for time spent completing jury service.
Voting Leave	Employees who are registered voters must be allowed up to two hours of paid time off from work to vote, either on an election day or any day on which absentee voting is allowed. If employees require more than two hours (travel time), they must receive "sufficient time" necessary to vote. Leave is not available if the employee's work shift: • Begins three or more hours after the polls open; or • Ends three or more hours before the polls close. Employees must provide notice to their employers at least three days before the election (or the day of in-person absentee voting) if they require time off to vote. Employers may specify the days and hours employees may leave work to vote.

TYPE OF LEAVE	REQUIREMENTS
Military Leave	<p>In addition to the protections offered by the federal Uniformed Service Employment and Reemployment Rights Act, the Oklahoma Uniformed Service Employment and Reemployment Rights Act requires employers to reemploy employees returning from leave to serve on active duty in the state military forces (National Guard, State Guard, and any other military force organized under the Constitution and laws of the State of Oklahoma) without loss of status or seniority (or any additional seniority or rights and benefits they would have attained had they not taken leave). Employees are covered by the law if:</p> <ul style="list-style-type: none"> • They, or an officer of the state military forces, have provided advance written or verbal notice of the service to the employer (unless impossible or unreasonable); • In general, the cumulative length of the employee’s absence due to U.S. military service is not more than five years; and • They report to, or submit an application for reemployment to, their employer on return from leave. <p>Certain exceptions apply. Employers are further required to allow service members on leave to continue group health coverage for themselves and their dependents for 24 months, and they must allow employees to use accrued paid vacation, annual or similar paid leave during leave.</p> <p>Employers must provide notice of the law to employees who are members of the state military forces.</p> <p>The law also requires private sector employers to allow a leave of absence without loss of status or seniority for all members of the U.S. Reserves called to active or inactive duty. Employers may pay these employees the difference between their regular pay and their military base pay.</p>

SPECIAL NOTE: Please note that the information in this chart focuses on statewide laws. Cities and counties across the country have enacted local ordinances that also require employers to provide leave to employees. Employers must generally comply with all local and statewide laws that apply.

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